

REMARKS

In the final Office Action, the Examiner makes the following rejections:

- Claims 1, 2, 3, 5, and 12 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. (U.S. Patent No. 6,463,062), in view of GAI et al. (U.S. Patent No. 6,167,445), and in further view of ISE et al. (U.S. Patent No. 6,999,419);
- Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of NOAKE et al. (U.S. Patent No. 6,751,222);
- Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of FARRIS et al. (U.S. Patent No. 6,154,445);
- Claims 6, 8, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al. and in still further view of CHRISTIE et al. (U.S. Patent No. 6,690,656);
- Claims 14-16, 18, 31, 39, 42, 43, 45 and 58 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of SMITH et al. (U.S. Patent No. 6,222,823);
- Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., in further view of ISE et al., and in still further view of VANDERVORT et al. (U.S. Patent No. 5,761,191) or HORN et al. (U.S. Patent No. 5,276,676);
- Claim 13 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of BASSO et al. (U.S. Patent No. 6,633,539);
- Claims 17 and 44 rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further view of NOAKE;
- Claims 19-21, 23-26, 46-48, and 50 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further of view of CHRISTIE et al.;
- Claims 22 and 49 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further of view of FARRIS et al.;

- Claims 38 and 65 are rejected under 35 U.S.C. § 103(a) allegedly as unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further of view of BASSO et al.;
- Claims 27-29 and 54-56 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further of view of KOBAYASHI et al. (U.S. Patent No. 5,896,371); and
- Claims 32-37 and 59-64 are rejected under 35 U.S.C. § 103(a) allegedly as unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of KILKKI et al. (U.S. Patent No. 6,041,039).

Applicants respectfully traverse the above rejections.

By way of the present Amendment, Applicants herein amend claims 1-9, 12-26, 31-39, 42-50, 55, 56, and 58-65 to improve form and cancel claims 10, 27-29, 54, 57 and 66-81, without prejudice or disclaimer. Claims 1-9, 12-26, 31-39, 42-50, 55, 56, and 58-65 are pending.

Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and ISE et al.

Claims 1, 2, 3, 5, and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., and in further view of ISE et al. Applicants respectfully traverse this rejection.

Claim 1, as amended, recites a method comprising: receiving, at a policy server, information associated with a first signaling message and a second signaling message, where the first signaling message and the second signaling message are associated with a calling party and a called party, where an ingress switch in an Asynchronous Transfer Mode (ATM) network is associated with the calling party and an egress switch in the ATM network is associated with the called party; identifying, by the policy server and based on the first signaling message and the second signaling message, a policy associated with the calling party; determining, by the policy server, whether the policy is satisfied with respect to the first signaling message and the second signaling message, where determining whether the policy is satisfied comprises: identifying,

based on the policy, a network port, in the ATM network, that the calling party is authorized to use, where the network port is associated with a maximum burst size limit, determining a virtual path between the ingress switch and the egress switch, where the virtual path includes the network port in the ATM network, identifying an available forward bandwidth from the ingress switch to the egress switch along the virtual path, identifying an available reverse bandwidth from the egress switch to the ingress switch along the virtual path, calculating a first requested bandwidth associated with the first signaling message, where the first requested bandwidth includes a first forward requested bandwidth from the ingress switch to the egress switch along the virtual path and a first reverse requested bandwidth from the egress switch to the ingress switch along the virtual path, calculating a first burst size associated with the first signaling message and a second burst size associated with the second signaling message, determining that the policy is satisfied for the first signaling message in response to determining that: the available forward bandwidth exceeds the first forward requested bandwidth, the available reverse bandwidth exceeds the first reverse requested bandwidth, and the first burst size does not exceed the maximum burst size limit, calculating a second requested bandwidth associated with the second signaling message, where the second requested bandwidth includes a second forward requested bandwidth from the ingress switch to the egress switch along the virtual path and a second reverse requested bandwidth from the egress switch to the ingress switch along the virtual path, and determining that the policy is not satisfied for the second signaling message in response to determining an occurrence of at least one of: a total forward requested bandwidth, including the first forward requested bandwidth and the second forward requested bandwidth, exceeds the available forward bandwidth, a total reverse requested bandwidth, including the first reverse requested bandwidth and the second reverse requested bandwidth, exceeds the available reverse bandwidth, or a total burst size, including the first burst size and the second burst size, exceeds

the maximum burst size limit, and forwarding, from the policy server to the ingress switch, a connection failure notice related to the second signaling message in response to determining that the policy is not satisfied for the second signaling message; and causing, by the policy server and in response to determining that the policy is satisfied for the first signaling message, a communication, related to the first signaling message, to be established between the ingress switch and the egress switch using the virtual path. BUYUKKOC et al., GAI et al., and ISE et al., whether taken alone or in any reasonable combination, do not disclose or suggest one or more of these features.

For example, BUYUKKOC et al., GAI et al., and ISE et al. do not disclose or suggest the feature in claim 1 of:

determining, by the policy server, whether the policy is satisfied with respect to the first signaling message and the second signaling message, where determining whether the policy is satisfied comprises: identifying, based on the policy, a network port, in the ATM network, that the calling party is authorized to use, where the network port is associated with a maximum burst size limit, determining a virtual path between the ingress switch and the egress switch, where the virtual path includes the network port in the ATM network, identifying an available forward bandwidth from the ingress switch to the egress switch along the virtual path, identifying an available reverse bandwidth from the egress switch to the ingress switch along the virtual path, calculating a first requested bandwidth associated with the first signaling message, where the first requested bandwidth includes a first forward requested bandwidth from the ingress switch to the egress switch along the virtual path and a first reverse requested bandwidth from the egress switch to the ingress switch along the virtual path, calculating a first burst size associated with the first signaling message and a second burst size associated with the second signaling message, determining that the policy is satisfied for the first signaling message in response to determining that: the available forward bandwidth exceeds the first forward requested bandwidth, the available reverse bandwidth exceeds the first reverse requested bandwidth, and the first burst size does not exceed the maximum burst size limit, calculating a second requested bandwidth associated with the second signaling message, where the second requested bandwidth includes a second forward requested bandwidth from the ingress switch to the egress switch along the virtual path and a second reverse requested bandwidth from the egress switch to the ingress switch along the virtual path, and determining that the policy is not satisfied for the second signaling message in response to determining an occurrence of at least one of: a total forward requested bandwidth, including the first forward requested bandwidth and

the second forward requested bandwidth, exceeds the available forward bandwidth, a total reverse requested bandwidth, including the first reverse requested bandwidth and the second reverse requested bandwidth, exceeds the available reverse bandwidth, or a total burst size, including the first burst size and the second burst size, exceeds the maximum burst size limit, and forwarding[.]

With respect to claim 14, as previously presented, the Examiner admits that BUYUKKOC et al., GAI et al., and ISE et al. do not disclose or suggest “determining a maximum bandwidth allowable for a particular network port authorized for use by the calling party” and alleges that this feature is disclosed in SMITH et al. at FIGS. 1 and 2 and at col. 9, lines 9-45 (Office Action at page 29 and 30). Without acquiescing in the allegations in the Office Action with respect to previously presented claim 1, Applicants respectfully disagree with the Examiner’s interpretation of Smith et al.

At col. 5, lines 57-67, SMITH et al. discusses FIGS. 1 and 2 and states:

In the systems of both FIG. 1 and FIG. 2, the [dynamic bandwidth controllers] DBCs 20, 20-1, 20-2 request bandwidth from the respective [connection admission control function] CAC 18, 18-1, 18-2 whilst buffering any incoming data cells which cannot immediately be transmitted to the respective switches 12, 16. The CAC 18, 18-1, 18-2 then allocates a bandwidth. This allocation is then indicated to the DBC 20, 20-1, 20-2 which communicates a maximum [cell rate] CR to the transmitting end-system 14. The allocation only occurs if sufficient bandwidth is available on the system to allocate a predetermined bandwidth (pre-registered by the customer) to the end-system.

This section of SMITH et al. discloses, for example, that “DBC_s 20, 20-1, 20-2 request bandwidth from the respective CAC 18, 18-1, 18-2” and “CAC 18, 18-1, 18-2 then allocates a bandwidth ... if sufficient bandwidth is available on the system to allocate a predetermined bandwidth (pre-registered by the customer) to the end-system.” This section of SMITH et al. does not relate to the feature in claim 1 of “identifying, based on the policy, a network port, in the ATM network, that the calling party is authorized to use,” as recited in claim 1 (emphasis added), and certainly does not disclose or suggest “identifying an available forward bandwidth from the ingress switch to the egress switch along the virtual path [that includes the network

port, in the ATM network, that the calling party is authorized to use]" and " identifying an available reverse bandwidth from the egress switch to the ingress switch along the virtual path," as further recited in claim 1. Rather, as described above, this section of SMITH et al. discloses that CAC 18, 18-1, 18-2 allocates bandwidth based on a predetermined bandwidth associated with a customer, regardless of the path/port in the ATM network used transmit the allocated bandwidth.

For at least these reasons, FIGS. 1 and 2 of SMITH et al. do not disclose or suggest the above-identified features of claim 1.

At col. 9, lines 5-45, SMITH et al. states:

The CAC 18 is then sent a request for bandwidth. This is interpreted by the CAC 18 as a request for the predetermined bandwidth associated with the end-system. If this bandwidth cannot be granted, the end-system is kept in a halt state, the cells already received by the DBC are buffered (by setting the shaper module 42 rate to zero) and a timer is started for monitoring for how long the cells are buffered.

The CAC 18 periodically (preferably at periods just less than the maximum time for which cells are buffered by the shaper) attempts to find the requested bandwidth and offers it to the DBC, which in turn offers it to the end-system in the form of a signal via the feedback module 44. When the end-system 14 takes up the offer of bandwidth, the bandwidth is allocated, and the shaper is notified of the CR corresponding to the allocated bandwidth. If the CAC 18 cannot find the bandwidth, it may remove bandwidth allocation from other end-systems to obtain sufficient bandwidth to be allocated. Suitable bandwidth balancing techniques for use in the CAC, are described below.

If the timer expires before bandwidth can be allocated, the cells held in the DBC (in the buffer) are deleted. In this case, the end-system knows that the cells have been deleted since it also has a timer and unless a CR is fed-back within a predetermined time, it assumes that bandwidth cannot be allocated and that the few cells which were sent before the halt signal was received, have been deleted.

If the CAC 18 needs to remove the bandwidth, the whole bandwidth is removed and the end-system is halted as described above.

As a strategy which is an alternative to the detection of cells before bandwidth is allocated, the CAC 18 may continuously poll end-systems to offer bandwidth (to the predetermined level required by an end-system) to the end-system via the DBC. If the end-system starts transmitting, the bandwidth is allocated.

This polling, offer and acceptance procedure may also be used to cause transmission to re-start after an end-system has been halted as described above.

This section of SMITH et al. discloses, for example, that “the CAC 18 is then sent a request for bandwidth” and this request “is interpreted by the CAC 18 as a request for the predetermined bandwidth associated with the end-system” (emphasis added). Thus, this section of SMITH et al. discloses allocating bandwidth according to a particular bandwidth associated with an end system (i.e., the bandwidth associated with a customer, as described above with respect to FIGS. 1 and 2 of SMITH et al.). Applicants respectfully submit that this section of SMITH et al. does not relate to the feature in claim 1 of “identifying, based on the policy, a network port, in the ATM network, that the calling party is authorized to use,” as recited in claim 1 (emphasis added), and certainly does not disclose or suggest “identifying an available forward bandwidth from the ingress switch to the egress switch along the virtual path [that includes the network port, in the ATM network, that the calling party is authorized to use]” and “identifying an available reverse bandwidth from the egress switch to the ingress switch along the virtual path,” as further recited in claim 1. Rather, as described above, this section of SMITH et al. discloses that CAC 18 allocates bandwidth based on a predetermined bandwidth associated with a end-system regardless of the path/port in the ATM network used transmit the allocated bandwidth.

For at least these reasons, SMITH et al., at FIGS. 1 and 2 and col. 9, lines 5-45, does not disclose or suggest the above-identified features of claim 1.

For at least the foregoing reasons, claim 1 is patentable over BUYUKKOC et al., GAI et al., and ISE et al. (and SMITH et al.), whether taken alone or in any reasonable combination. Claims 2, 3, 5, and 12 depend from claim 1, and without acquiescing in the Examiner’s allegations, Applicants submit that these claims are patentable over BUYUKKOC et al., GAI et

al., and ISE et al. (and SMITH et al.), whether considered alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 2, 3, 5, and 12 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and ISE et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al. and NOAKE et al.*

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of NOAKE et al. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1. Without acquiescing in the Examiner's allegations, Applicants submit that the disclosure of NOAKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., and ISE et al. (and SMITH et al.) set forth above with respect to claim 1. Therefore, Applicants submit that claim 4 is patentable over BUYUKKOC et al., GAI et al., ISE et al., and NOAKE et al. (and SMITH et al.), whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 4 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., and NOAKE et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., and CHRISTIE et al.*

Claims 6, 8, and 9 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., in further view of ISE et al., and in still further view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 6, 8, and 9 depend from claim 1. Without acquiescing in the rejection of claims 6, 8, and 9, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., and ISE et al. (and SMITH et al.) set forth above with respect to claim 1. Therefore, Applicants submit that claims 6, 8, and 9 are patentable over BUYUKKOC et al., GAI et al., ISE et al., and CHRISTIE et al. (and SMITH et al.), whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6, 8, and 9 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., and CHRISTIE et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., and FARRIS et al.*

Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of FARRIS et al. Applicants respectfully traverse this rejection.

Claim 7 depends from claim 1. Without acquiescing in the rejection of claim 7, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., and ISE et al. (and SMITH et al.) set forth above with respect to claim 1. Therefore, Applicants submit that claim 7 is patentable over

BUYUKKOC et al., GAI et al., ISE et al., and FARRIS et al. (and SMITH et al.), whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 7 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., and FARRIS et al.

Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., and one of VANDERVORT et al. or HORN et al.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., in further view of ISE et al., and in further view of VANDERVORT et al. or HORN et al. Without acquiescing in the allegations in the Office Action, Applicants herein cancel claim 10, thereby rendering this rejection moot.

Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., and BASSO et al.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of BASSO et al. Applicants respectfully traverse this rejection.

Claim 13 depends from claim 1. Without acquiescing in the rejection of claim 13, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., and ISE et al. (and SMITH et al.) set forth above with respect to claim 1. Therefore, Applicants submit that claim 13 is patentable over BUYUKKOC et al., GAI et al., ISE et al., and BASSO et al. (and SMITH et al.), whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 13 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., and BASSO et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al.*

Claims 14-16, 18, 31, 39, 42, 43, 45, and 58 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of SMITH et al. Applicants respectfully traverse this rejection.

Independent claims 14 and 39 recite features similar to (yet possibly of different scope than) features described above with respect to claim 1. Therefore, Applicants submit that claims 14 and 39 are patentable over BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al., whether taken alone or in any reasonable combination, for at least reasons similar to the reasons given above with respect to claim 1.

Claims 15, 16, 18, 31, 42, 43, 45, and 58 depend from one of claims 14 and 39. Therefore, these claims are patentable over BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al., whether considered alone or in any reasonable combination, for at least the reasons given with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 14-16, 18, 31, 39, 42, 43, 45, and 58 under 35 U.S.C. § 103(a) based on over BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and NOAKE et al.*

Claims 17 and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in even further view of SMITH et al., and in still further view of NOAKE et al. Applicants respectfully traverse this rejection.

Claim 17 depends from claim 14; and claim 44 depends from claim 39. Without acquiescing in the rejection of claims 17 and 44, Applicants submit that the disclosure of NAOKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 17 and 44 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and NAOKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 17 and 44 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and NAOKE et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and CHRISTIE et al.*

Claims 19-21, 23-26, 46-48, and 50 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 19-21, 23-26, 46-48, and 50 depend from one of claims 14 and 39. Without acquiescing in the rejection of these claims, Applicants submit that the disclosure of CHRISTIE

et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 19-21, 23-26, 46-48, and 50 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 19-21, 23-26, 46-48, and 50 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and CHRISTIE et al.

Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and FARRIS et al.

Claims 22 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of SMITH et al., and in even further view of FARRIS et al. Applicants respectfully traverse this rejection.

Claims 22 and 49 depend from one of claims 14 and 39. Without acquiescing in the rejection of claims 22 and 49, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 22 and 49 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 22 and 49 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and FARRIS et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KOBAYASHI et al.*

Claims 27-29 and 54-56 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in still further view of SMITH et al., and in even further view of KOBAYASHI et al. Applicants respectfully traverse this rejection.

Claims 27-29 and 54-56 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 27-29 and 54-56, Applicants submit that the disclosure of KOBAYASHI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 27-29 and 54-56 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KOBAYASHI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 27-29 and 54-56 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KOBAYASHI et al.

*Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KILKKI et al. et al.*

Claims 32-37 and 59-64 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., and in

further view of SMITH et al., and in still further view of KILKKI et al. et al. Applicants respectfully traverse this rejection.

Claims 32-37 and 59-64 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 32-37 and 59-64, Applicants submit that the disclosure of KILKKI et al. et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 32-37 and 59-64 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KILKKI et al. et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 32-37 and 59-64 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and KILKKI et al. et al.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and BASSO et al.***

Claims 38 and 65 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of GAI et al., in further view of ISE et al., in still further view of SMITH et al., and in even further view of BASSO et al. Applicants respectfully traverse this rejection.

Claims 38 and 65 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 38 and 65, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., GAI et al., ISE et al., and SMITH et al. set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 38 and 65 are patentable over BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons

given above with respect to claims 14 and 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 38 and 65 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., ISE et al., SMITH et al., and BASSO et al.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, assertions regarding Official Notice, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070, and please credit any excess fees to such deposit account.

Respectfully submitted,

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